



General Assembly

January Session, 2013

***Raised Bill No. 1015***

LCO No. 3838



Referred to Committee on ENVIRONMENT

Introduced by:  
(ENV)

***AN ACT CONCERNING THE NEW ENGLAND NATIONAL SCENIC TRAIL.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1      Section 1. (NEW) (*Effective from passage*) (a) It is declared to be the  
2      policy of the state of Connecticut that the Connecticut portion of the  
3      New England National Scenic Trail be preserved in its natural  
4      character as proposed by Public Law 111-11, March 30, 2009.

5      (b) The Department of Energy and Environmental Protection is  
6      hereby authorized by purchase, gift, eminent domain or otherwise to  
7      acquire such land, including, but not limited to, rights-of-way and  
8      easements for the purpose of protecting or enhancing scenic beauty, as  
9      may be deemed necessary to establish, protect and maintain the  
10     portion of the New England National Scenic Trail between Long Island  
11     Sound and the Massachusetts state line after considering the  
12     recommendations of the Metacomb Monadnock Mattabesett Trail  
13     System National Scenic Trail Feasibility Study and Environmental  
14     Assessment prepared by the National Park Service, dated Spring 2006.

15 (c) Any department or agency of the state or of any political  
16 subdivision may transfer to the Department of Energy and  
17 Environmental Protection lands or rights in land for such purposes on  
18 such terms and conditions as may be agreed upon, or may enter into  
19 an agreement with the Commissioner of Energy and Environmental  
20 Protection providing for the establishment and protection of said trail.

21 (d) As ordered in Public Law 111-11, the New England National  
22 Scenic Trail shall be held, developed and administered primarily as a  
23 footpath after consideration of the actions outlined in the Trail  
24 Management Blueprint as the framework for the management and  
25 administration of said trail; provided other uses of the trail and lands  
26 acquired hereunder may be permitted, by the owner of adjoining lands  
27 or other, in such manner and in such seasons as will not substantially  
28 interfere with the primary use of the trail. Nothing in this section shall  
29 be construed to limit the right of the public to pass over existing public  
30 roads which are or may become part of the trail, nor prevent the  
31 department from performing such work as is necessary for the  
32 purpose of forest fire protection, insect, pest and disease control.

33 (e) As stated in Public Law 111-11, the commissioner may enter into  
34 cooperative agreements with agencies of the federal government or  
35 with private organizations to provide for the maintenance of the trail.

36 (f) No person who has granted a right-of-way for said trail across  
37 his or her land, or his or her successor in title, shall be liable to any  
38 user of the trail for injuries suffered on said right-of-way unless the  
39 injuries are caused by his or her wilful or wanton misconduct as  
40 described in sections 52-557f to 52-557i, inclusive, of the general  
41 statutes.

42 (g) The Department of Energy and Environmental Protection is  
43 hereby authorized to use any department funds which may become  
44 available to carry out the provisions of this section. Any available  
45 funds from the United States Land and Water Conservation Fund or

46 other federal assistance programs may also be used to accomplish this  
47 purpose.

This act shall take effect as follows and shall amend the following sections:
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Section 1	<i>from passage</i>	New section
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***Statement of Purpose:***

To recognize the New England National Scenic Trail in the same manner as the Appalachian National Scenic Trail is recognized and provide for the same rights and obligations concerning said trail.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*